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July 1, 2005

To: Examiner Dah Wei D. Yuan Fax No.: (703) 872-9306  
From: Stephen P. Burr Fax No.: (315) 233-8320  
Re: U.S. Patent Application Serial No. 10/087,359  
Title: ELECTRODE BODY EVALUATION METHOD AND  
LITHIUM SECONDARY CELL USING THE SAME  
Conf. No.: 3319  
Our Ref.: 791\_188

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You should receive 27 page(s) including this cover sheet. If you do not receive all pages, please call Tara at (315) 233-8300.

**COMMENTS:**

I hereby certify that the following paper(s) is/are being transmitted by facsimile to the Patent and Trademark Office on July 1, 2005:

**Pages**

|  |    |
|--|----|
| - an Amendment Transmittal with a Petition<br>for Extension of Time (1-mo.) (in duplicate) | 2  |
| - an Amendment   | 10 |
| - a Rule 132 Declaration for Toshihiro Yoshida   | 3  |
| - MPEP §2163.07(a)   | 1  |
| - <i>Kennecott Corp. v. Kyocera International Inc.</i>                                     | 10 |

Total: 27 (including cover)

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**PATENT AMENDMENT TRANSMITTAL**

(Provisions of 37 CFR 1.136 Apply)

|                    |  |                     |                 |
|--------------------|--|---------------------|-----------------|
| Application Number | 10/087,359   | Filing Date         | March 1, 2002   |
| Group Art Unit     | 1745   | Examiner Name       | Dah Wei D. Yuan |
| Confirmation No.   | 3319   | Attorney Docket No. | 791_188         |
| Inventor(s)        | Toshihiro YOSHIDA and Hiroshi NEMOTO                                       |                     |                 |
| Invention:         | ELECTRODE BODY EVALUATION METHOD AND LITHIUM SECONDARY CELL USING THE SAME |                     |                 |

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as follows:

**CLAIMS AS AMENDED**

| (1)  | (2)<br>Claims Remaining<br>After Amendment | (3)   | (4)<br>Highest Number<br>Previously Paid | (5)<br>No. of Extra Claims<br>Present | (6)<br>Rate<br>(Large Entity) | (7)<br>Additional<br>Fee |
|--|--|-------|--|---------------------------------------|-------------------------------|--------------------------|
| TOTAL CLAIMS                                   | 27   | MINUS | 53                                       | 0                                     | \$50.00                       | \$00.00                  |
| INDEP. CLAIMS                                  | 3  | MINUS | 6  | 0                                     | \$200.00                      | \$00.00                  |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b> |  |       |  |                                       |                               | <b>\$00.00</b>           |

**EXTENSION OF TERM**

- ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☒ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:

- ☒ One Month (37 CFR 1.17(a)(1)) ..... \$120.00
- ☐ Two Month (37 CFR 1.17(a)(2)) ..... \$450.00
- ☐ Three Month (37 CFR 1.17(a)(3)) ..... \$1,020.00

\$ 120.00

**TOTAL FEES DUE**

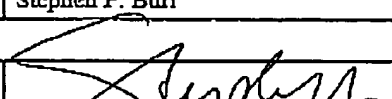
\$ 120.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

**FEE PAYMENT**

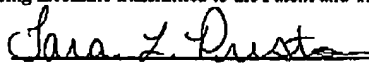
- ☐ No additional fee is required. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ Charge Deposit Account 50-1446 in the amount of \$120.00. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

**Submitted By:**

|                   |   |           |                |              |                |
|-------------------|---|-----------|----------------|--------------|----------------|
| Name (Print Type) | Stephen P. Burr   | Reg. No.  | 32,970         | Customer No. | 025191         |
|                   |   | Telephone | (315) 233-8300 | Facsimile    | (315) 233-8320 |
| Signature         |  |           |                | Date         | July 1, 2005   |

**CERTIFICATION OF FACSIMILE TRANSMISSION**

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Practitioner's Docket No.: 791\_188

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Toshihiro YOSHIDA and Hiroshi NEMOTO

Serial No.: 10/087,359

Group Art Unit: 1745

Filed: March 1, 2002

Examiner: Yuan, Dah Wei D.

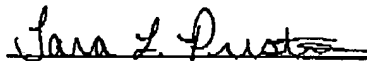
Conf. No.: 3319

For: ELECTRODE BODY EVALUATION METHOD AND LITHIUM  
SECONDARY CELL USING THE SAME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE  
TRANSMISSION

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872-9306 in the Patent and Trademark Office on July 1, 2005.



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## AMENDMENT

Sir:

In response to the Office Action mailed March 3, 2005, please amend the  
above-identified application as follows:

Amendments to the Specification are described on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins  
on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Attachments are included following page 10 of this paper.

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